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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,938	01/25/2002	Muhammad Mukarram Bin Tariq	10745/041 (PA-039)	3617
32605	7590	10/22/2004	EXAMINER	
MACPHERSON KWOK CHEN & HEID LLP 1762 TECHNOLOGY DRIVE, SUITE 226 SAN JOSE, CA 95110			MOAZZAMI, NASSER G	
			ART UNIT	PAPER NUMBER
			2187	

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/056,938

Applicant(s)

BIN TARIQ ET AL.

Examiner

Nasser G Moazzami

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-6, 14-28, 31-39 and 41 is/are rejected.
7) ☒ Claim(s) 7-13, 29, 30, 40 and 42-47 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to applicant's amendment dated 09/30/2004 in response to PTO Office Action dated 08/06/04. The applicant's remarks and amendment were considered with the results that follows.
2. Claims 1-47 have been presented in this application for examination. No claims have been canceled or added. Therefore, claims 1-47 remain pending in the application.

Response to Arguments

3. Applicant's arguments with respect to claims 1-47 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 14-28, 31-39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al., hereinafter Lee (U.S. Patent No. 6,535,493)

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in view of Koshimizu et al. (U.S. Patent Application Publication No. 2002/0094813), hereinafter Koshimizu.

As per claims 1-6, 14-28, 31-39, and 41, Lee discloses a method for routing information to a mobile unit in a data communication system having a home network **[first subnet]** and a remote network **[second subnet]**, wherein a content stream is served to a mobile node in a first subnet with a first caching proxy in response to a request **[inherent in the art]**; relocating the mobile node to a second subnet **[the mobile unit may roam from the home network to the remote network]**; initial act of notifying the first caching proxy of the relocation of the mobile node **[registering the mobile unit with the home agent]**.

Lee discloses the claimed invention, but fails to specifically teach handing off the request to serve the streaming content from the first caching proxy to a second caching proxy in response to the request by initiating a cache query to identify the second caching proxy as a function of the location of mobile node in the second subnet; and continuing to serve the request for the content stream to the mobile node with the second caching proxy.

Koshimizu discloses an information delivery system and its method for a mobile communication network, wherein the mobile node receives the cache information from different cache nodes as it moves in order to realize a continuous efficient delivery of cache information **[abstract, see page 1, paragraph 0013 and 0016 and page 2, paragraph 0017-0018]**.

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Accordingly, it would have been obvious to one having ordinary skill in the art at the time of the current invention to use channel switching as being taught by Koshimizu into Lee's mobile internet communication system in order to realize a continuous efficient delivery of cache information.

Allowable Subject Matter

6. Claims 7-13, 29-30, 40, and 42-47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser G Moazzami whose telephone number is (571) 272-4195. The examiner can normally be reached on 7:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NASSER MOAZZAMI
PRIMARY EXAMINER



10/20/2004